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IN THE SUPREME COURT  
STATE OF ARIZONA

PETITION TO AMEND RULE  
8.2(a)(4), ARIZONA RULES OF  
CRIMINAL PROCEDURE

Supreme Court No. R-10-0012

**Comment of the State Bar of  
Arizona on Petition to Amend  
Rule 8.2(a)(4), Arizona Rules of  
Criminal Procedure**

The State Bar of Arizona supports the petition, but recommends it be modified to include a provision which instructs *when*, in capital cases reversed for new trial on appeal or post-conviction relief, the time limit commences.

The Criminal Rules Practice & Procedure Committee notes that twenty-four months is conservative for the reasons stated in the petition, and the court still maintains the authority/discretion to enlarge the period upon a capital defendant's request or delay caused by the defense.

RESPECTFULLY SUBMITTED this 11<sup>th</sup> day of May, 2010.

  
John A. Furlong  
General Counsel

Electronic copy filed with the  
Clerk of the Supreme Court of  
Arizona this 11<sup>th</sup> day of May, 2010.

1 And a copy was mailed to:  
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